

Evanston Township High School District 202

Administrative Procedure (7:10-AP)

Administrative Procedures regarding the Support of Students and Staff who are Transgender and/or Gender Expansive

Evanston Township High School District 202 is committed to creating a safe, affirming, and healthy school environment where every child can learn. We recognize that students are inspired to learn and achieve to the best of their ability when they feel visible, welcomed and respected in a supportive environment that embraces all of their identities.

State and federal law and District policy require that all programs, activities, and employment practices are free from discrimination based on sex, sexual orientation, gender identity and gender expression. This Procedure is issued in keeping with these mandates to create a safe and affirming learning environment for all students and working environment for all staff, and to ensure that every student has equal access to all school programs and activities.

Scope

This Procedure covers conduct that takes place in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles, and at bus stops. This Procedure also pertains to usage of electronic communication that occurs in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles and at bus stops, and on school computers, networks, forums, and mailing lists, as well as any electronic communication that is directed at a student and which substantially interferes with the student's ability to participate in or benefit from the services, activities, or privileges provided by the school. This Procedure applies to the entire school community, including educators, school and District staff, students, parents, and volunteers.

This Procedure does not anticipate every situation that might occur with respect to every student and staff member who is transgender or gender nonconforming. The needs of each person are unique. In all cases, the goal of this Procedure is to create a school culture that respects, protects and values all transgender and gender-expansive students and employees, and fosters understanding of gender identity within the school community. This Procedure is aligned with and supports the expectations of State and federal anti-discrimination laws, District 202 Board policies, and the Board's [Equity and Excellence Statement](#) to provide "all students with resources, opportunities, supports and interventions to ensure that they achieve their full potential."

The Principal, Nondiscrimination Coordinator, and/or Complaint Manager, with input from others as appropriate, will implement this procedure. They will work with each student, and as appropriate with the student's parent(s)/guardian(s), to manage a student's accommodations and supports on a case-by-case basis. The Board Attorney will be consulted concerning legal compliance.

Definitions

The definitions provided here are not intended to label individuals but rather to assist in understanding this Procedure and the legal obligations of District staff. Individuals might or might not use these terms to describe themselves.

Sex assigned at birth refers to the sex designation, usually "male" or "female," assigned to a person when they are born. This is what is written on the birth certificate.

Gender identity is a person's deeply held sense or psychological knowledge of their own gender, which can include being female, male, another gender, or no gender. A person's gender identity can be the same or different than their sex assigned at birth. The responsibility for determining an individual's gender identity rests with the individual. Unlike gender expression, gender identity is not visible to others.

Gender expression refers to the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

Sexual orientation describes a person's enduring physical, romantic, and/or emotional attraction to another person. Common terms used to describe sexual orientation include, but are not limited to, heterosexual, lesbian, gay, and bisexual. Sexual orientation and gender identity are not the same.

Transgender describes a person whose gender identity or expression is different from that traditionally associated with their sex assigned at birth.

Cisgender describes a person whose gender identity aligns with the sex they were assigned at birth.

Transition refers to the process in which a person goes from living and identifying as one gender to living and identifying as another. Transition is a process that is different for everyone, and it may or may not involve social, legal, or physical changes. There is no one step or set of steps that an individual must undergo in order to have their gender identity affirmed and respected.

Gender nonconforming is a term for people whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous. Gender nonconforming individuals may identify as male, female, some combination of both, or neither. Other terms that can have similar meanings include gender diverse, nonbinary, or gender expansive.

LGBTQ is an acronym that stands for "lesbian, gay, bisexual, transgender, and queer/questioning."

Facilities refers to facilities used by students at school or during school-sponsored activities and trips, and include, but are not limited to, restrooms, locker rooms, and overnight facilities.

Guiding Principles and Requirements

The school shall accept the gender identity that each student or employee persistently and consistently asserts. There is no medical or mental health diagnosis or treatment threshold that students or staff must meet in order to have their gender identity recognized, respected, and affirmed. The assertion may be evidenced by an expressed desire to be consistently recognized by their gender identity.

Students, in partnership with their parent(s)/guardian(s), or staff who are ready to socially transition may initiate a process to change their name, pronoun, attire, and/or access to preferred activities and facilities. Not all gender-nonconforming students and staff identify as being transgender, so transition may look very different for each person and not all people who undergo a transition desire the same outcome. In most cases, transitioning is a very private matter. When appropriate, ETHS staff will create a Gender Support Plan to help ensure the student's academic, social, and emotional success.

STUDENTS

A. Discrimination, Bullying & Harassment

Discrimination, bullying, and harassment on the basis of sex, sexual orientation, or gender identity or expression is prohibited within Evanston Township High School District 202.

Gender-Based Discrimination Is Prohibited

Students have the right to equitable learning opportunities at ETHS. Students shall not be required to take and/or be denied enrollment in a course on the basis of their gender identity in any educational and academic program. Students have the right to equitable access to extracurricular activities, clubs, and programs at ETHS and may not be excluded from participation in, be denied the benefits of, or be subjected to harassment or other forms of discrimination on the basis of gender identity in any program or activity. In addition, students shall be treated and supported in a manner consistent with their gender identity.

The Board policy on Equal Educational Opportunities (Students 7:10) must be used to to address and resolve equal access to educational opportunities, programs, activities, services, facilities, or benefits including extracurricular programs and activities. (See [Students 7:10](#), Equal Educational Opportunities.)

Gender-Based Bullying and/or Harassment Is Prohibited

The Illinois School Code prohibits bullying on the basis of actual or perceived sexual orientation, gender-related identity or expression, and/or association with a person or group with one of the aforementioned actual or perceived characteristics. 105 ILCS 5/27-23.7(a).

The Board policy on bullying must be used to address and resolve peer bullying and harassment of transgender or gender nonconforming students. (See [Students 7:180; 7:20](#), Prevention of and Response to Bullying, Intimidation, and Harassment; Harassment of Students Prohibited.)

B. Privacy and Confidentiality

The District shall ensure that all personally identifiable and medical information relating to students shall be kept confidential in accordance with applicable state, local, and federal privacy laws, such as the Illinois School Student Records Act (ISSRA) and the Family Educational Rights and Privacy Act (FERPA).

Students have the right to openly discuss and express their gender identity and expression, and to decide when, with whom, and how much information to share.

C. Transitioning at School

Students who are ready to socially transition may initiate a process at ETHS. In most cases, transitioning is a very private matter. However, students who wish to access additional school-based resources and services during their transition can expect the support and affirmation of school staff. The Associate Principal (AP) of Student Services and members of the student's grade-level team (i.e., counselor, social worker, psychologist, dean, etc.) will work with each student who decides to disclose their transition process to develop a clear, written **Gender Support Plan** (revised format effective 3/15/2017) to help ensure the student's academic, social, and emotional success.

1. As a first step, students and/or their parent(s) or guardian(s) should complete and submit a [Student Advocacy Form](#) to initiate a conversation with the AP of Student Services and/or a member of the student's grade-level team (e.g., counselor, social worker, psychologist, dean). The form is used to communicate with the school about various aspects of the transition process, such as requests to change a student's name and/or gender in the official student record, as well as to indicate preferred access to gender-specific facilities and/or participation in gender-specific athletics, clubs or activities. Students may also use this form to communicate to the school the name and/or gender preference and/or gender identity they wish to use as part of their Gender Support Plan.
2. Upon receiving the **Student Advocacy Form**, the AP of Student Services, and/or a member of the student's grade-level team will meet with the student and their parent or guardian, if appropriate, to:
 - a. Discuss available school resources to affirm the student's identity and/or to support the student's need or desire for increased privacy.
 - b. For transitioning students, a **Gender Support Plan** will be developed to ensure the transitioning student's gender identity and expression are represented accurately and to identify which school-based supports are scheduled to be in place on the date when the transition will officially and formally occur. This could mean the date that the student's name and/or gender pronouns will be changed in the Student Information System, and/or the date student plans to change their gender expression, and/or the date the student plans to begin using gender-specific facilities that align with their gender identity rather than their sex assigned at birth.
3. A **Gender Support Plan** should include a communication plan that determines how, and in what format, other staff should be made aware of the student's transition in order to do their jobs to support the student. It is up to the transitioning student to decide if they would like to make some people aware of their transition on a one-on-one basis, in addition to those staff who are required to be aware as determined by the AP of Student Services.
4. The **Gender Support Plan** should include:
 - a. Deciding what, if any, specific guidance and/or supports will be given to teachers and other staff
 - b. Determining which staff members need to be involved and which supports need to be in place to address all requests made on the **Student Advocacy Form** before the transition date
 - c. Making sure that the transitioning student has a new student ID and photo, if necessary
 - d. Ensuring all class rosters and related documents have the appropriate name and/or gender, if applicable, and checking that these have been changed in all of the places a student's name and/or gender may appear
 - e. Ensuring the student's District-issued email (studentname@eths202.org) and IIT system access has been updated to reflect the student's new name and/or gender, if applicable
 - f. Communicating with appropriate staff members about specific supports and/or changes to a student's name and/or gender

D. Names, Pronouns & School Records

Students, in partnership with their parent(s)/guardian(s), have the right to request an official change to a student's name and/or gender listed in the Student Information System to reflect the chosen name and/or gender that a student consistently identifies.

1. Students' self-identified name and/or pronoun that reflects their gender identity will be honored. Students may communicate their self-identified name and/or gender preference and/or gender identity to the school to be used as part of the student's **Gender Support Plan** by filling out the "Preferred Name & Pronoun" section of the **Student Advocacy Form**.
2. In situations where it may be necessary and recommended for staff to be informed of and/or use the student's name and/or gender listed in the student's official record in the Student Information System, staff should prioritize the safety, confidentiality, and respect of the student in a manner that affirms the law.
3. To ensure consistency among administrators and staff, every effort will be made by school staff to privately ask students who have openly identified as transgender or gender nonconforming how they want to be addressed. Some transgender and gender nonconforming youth may feel most comfortable being addressed by gender-neutral pronouns such as "they" or "ze" or just referred to by their names (without pronouns).
4. Every effort should be made to use the chosen names and preferred pronouns consistent with a student's gender identity.

Official Records

1. To request a formal change to the student's name and/or gender listed in the student's "official record", students and their parent(s) and guardian(s) or students over 18 years of age ("eligible students") should complete the "Official Student Record Name and/or Gender Change" section of the **Student Advocacy Form**. This form initiates a conversation between the student, the parent/guardian, the AP of Student Services, and a member of the student's grade-level team (i.e., counselor, social worker, psychologist, dean) who will help finalize the request to change the student's first name and/or middle name and/or gender listed in official records.
2. The District will amend a student's official record to reflect a change in name and/or to reflect a change in gender upon receipt of the **Student Advocacy Form** or other appropriate documentation, such as a birth certificate, or a court order from the parent or guardian substantiating the change. These changes will be reflected in a student's official record as well as used in all unofficial records (see below) from the point of request and moving forward. Past records will not be updated. A record of the student's original name and gender will be maintained in the system.
3. The name, gender, and/or any chosen name listed in the "Nickname" field of the Student Information System are all part of an official educational record and are therefore covered by the Illinois School Student Records Act (ISSRA) and the Family Educational Rights and Privacy Act (FERPA). If a parent or guardian requests access to see their student's records, they will have access to the student's legal name and gender, as well as any name listed in the "Nickname" field.
4. The District maintains a commitment to heightened confidentiality regarding a student's prior name and/or gender identified in the Student Information System.

E. Access to Gender-Segregated Activities and Facilities

With respect to restrooms, locker rooms or changing facilities, students shall have access to facilities that correspond to their gender identity as defined below. Any student who is uncomfortable using a shared facility, regardless of the reason, shall, upon the student's request, be provided with an alternative option. This may include, for example, use of a privacy partition or curtain, provision to use a nearby all-gender or secure-access restroom, and/or all-gender locker room.

F. Restroom Accessibility

1. Evanston Township High School may maintain separate restroom facilities for female and male students with privacy partitions and will also maintain secure-access "All Gender" restrooms that are either single-use or with privacy partitions. Students shall have access to restrooms that correspond to their gender identity asserted at school.
2. If a student desires increased privacy, regardless of the underlying reason, the school shall make every effort to provide the student with reasonable access to one of the "All Gender" restrooms located throughout the high school.
3. The "All Gender" restrooms require an access code to enter. Any student wishing to use one of the "All Gender" restrooms should complete "Preferred Facilities Access" section of the **Student Advocacy Form** to communicate their choice to the school. This form initiates a conversation between the student, the AP of Student Services, and a member of the student's grade-level team (e.g., counselor, social worker, psychologist, dean) who will help finalize the facilities access.

G. Locker Room Accessibility

1. Evanston Township High School may maintain separate locker room facilities for female and male students, and will also maintain a secure-access "All Gender" locker room with privacy partitions, as well as secure-access female and male restrooms in the pool area with privacy partitions.
 - a. For physical education classes, students shall be assigned to the locker room facility that corresponds to their gender identity as indicated in the student's official school record. (See Section D for information on "Official Records").
 - b. For interscholastic and intramural team sports as well as open gym sessions, students shall have access to the locker room facility that corresponds to their gender identity as indicated on the official school record. (See Section H for information on "Intramural and Interscholastic Athletics").
2. If a student desires increased privacy, regardless of the underlying reason, the school shall make every effort to provide the student with reasonable access to either the "All Gender" Locker Room (G152), or one of the Pool Area Secure-Access Restrooms.
3. The "All Gender" locker room (G152) requires an access code to enter. The Pool Area Secure-Access Restrooms require access from the Physical Education/Wellness Department Chair. Any student wishing to access these facilities should complete the "Preferred Facilities Access" section of the **Student Advocacy Form** to communicate their choice to the school. This form initiates a conversation between the student, the AP of Student Services, and a member of the student's grade-level team (e.g., counselor, social worker, psychologist, dean), and the Physical Education/Wellness Department Chair, who will help finalize the facilities access.

H. Physical Education/Wellness Classes, Intramural and Interscholastic Athletics

All students shall be permitted to participate in physical education and wellness education classes and intramural sports in a manner consistent with their gender identity. All students shall be permitted to participate in interscholastic athletics in a manner consistent with their gender identity, under the guidelines established by the Illinois High School Association (IHSA).

Physical Education/Wellness Classes

1. Physical Education and Wellness Education classes at ETHS are typically co-gender. Currently, the freshman Physical Education course is gender specific. Students may either enroll in the freshman P.E. course that is consistent with their gender identity asserted at school or in the course that aligns with their sex assigned at birth.
2. When conducting physical education classes and fitness evaluations, the teacher will address and evaluate the student by their gender of identity. Performance on the state physical fitness test (Fitnessgram) is evaluated by the State of Illinois in accordance with the gender reported on the student's record in the Student Information System, even when the student identifies as transgender. In these events, the physical education teacher shall make every effort to maintain confidentiality of student information.

Intramural and Interscholastic Athletics

1. Participation in competitive athletics, intramural sports, open gym sessions, athletic teams, competitions, and contact sports shall be facilitated in a manner consistent with the student's gender identity asserted at school and in accordance with the Illinois High School Association bylaws (Policy and School Recommendations for Transgender Participation, 34, page 119).
2. Any student wishing to participate in intramural sports or IHSA athletics teams or activities that are consistent with their gender identity but different than their sex assigned at birth should complete the "Intramural and Interscholastic Athletics" section of the **Student Advocacy Form** to communicate their choice to the school. This form initiates a conversation with the student, the AP of Student Services, and the Athletic Director, who will add guidance to the student's Gender Support Plan to support and affirm the student's participation.
3. Intramural sports and open gym sessions are managed by ETHS staff. Students may participate in a manner that is consistent with their gender identity. Students participating in intramural team sports as well as open gym sessions shall have access to the locker room facility that corresponds to their gender identity as indicated on the official school record.
4. IHSA sports are governed by Illinois High School Association bylaws. The final decision on whether a student can participate in IHSA athletics/activities in a manner consistent with their gender identity is made by the Illinois High School Association, not ETHS. Upon receiving the Student Advocacy Form and meeting with the student and the AP of Student Services to discuss their preferred participation, the Athletic Director will help gather the required information required by the IHSA for its participation ruling. If a student's participation choice is approved by the IHSA, participation is granted through the duration of their high school career; approval does not need to be annually renewed.

I. Student Dress Code

Students shall have the right to dress in accordance with their gender identity and expression, including maintaining a gender neutral appearance within the constraints of the dress code.

1. Evanston Township High School's [dress code](#), listed in the [ETHS Pilot: Student & Family Handbook](#), shall be gender neutral.
2. Students have the right to dress in accordance with their gender identity and expression within the parameters of the dress code.
3. School staff shall not enforce the school's dress code more strictly against transgender and gender nonconforming students than other students.
4. Gender-neutral dress code guidelines apply to regular school days as well as any special school-related events and activities, such as graduation ceremonies, dances and prom.

J. Overnight Activities and Trips

In the planning of sleeping arrangements during school-related overnight activities and trips, the needs of students who are transgender shall be defined by the gender support plan and gender identity in the student's official school record, with the goals of maximizing the student's social integration and opportunity to participate in overnight activities and trips, ensuring the student's safety and comfort, and minimizing stigmatization of the student. In most cases, students who are transgender should be assigned to share overnight accommodations with other students that share the student's gender identity. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative sleeping arrangement, which may include a private room.

K. Training and Professional Development

In order to further a safe and supportive school environment for all students, schools should incorporate education and training about transgender and gender nonconforming students into their anti-bullying curriculum, health education curriculum, student leadership trainings, and staff professional development.

1. The District will conduct annual training for all staff members on their responsibilities under applicable laws, policy and this procedure, including teachers, administrators, counselors, social workers, and health staff.
2. To the extent funding is available, the District shall provide ongoing professional development to build the skills of all staff members to prevent, identify and respond to bullying, harassment and discrimination. The content of this professional development shall include, but not be limited to:
 - a. terms, concepts, and current developmental understandings of gender identity, gender expression, and gender diversity in children and adolescents
 - b. developmentally appropriate strategies for communication with students and parents about issues related to gender identity and gender expression that protect student privacy
 - c. developmentally appropriate strategies for preventing and intervening in bullying incidents, including cyberbullying
 - d. classroom-management practices, curriculum, and resources that educators can integrate into their classrooms to help foster a more gender-inclusive environment for all students

- e. Board policies, District administrative procedures and guidelines, and *The Pilot: Student & Family Handbook* regarding bullying, harassment, discrimination, and suicide prevention and responsibilities of staff.
 - f. Access to resources on working with transgender and gender nonconforming students
2. Information regarding this procedure shall be incorporated into training for new school employees.

L. Student & Family Engagement

1. ETHS supports and affirms LGBTQ individuals, family members and allies through student groups such as the Gender and Sexuality Alliance (GSA), social work support groups, and family orientation programs. The school's Parent Ambassador program provides all parents with a space to share their unique perspectives about student identity with school staff and other families.

M. Communication with the School Community

Rather than directly commenting on the issue, staff should forward all inquiries from the media, reporters, journalism students, or the general public about issues related to gender identity to the ETHS Communications Office. When contacted by families or from members of the school community to comment on the issue of gender identity, ETHS staff should direct inquiries to the office of the Associate Principal for Student Services. Protecting the privacy of transgender and gender nonconforming students must be a top priority for staff, and all personally identifiable and medical information shall be kept strictly confidential, in accordance with local, state, and federal privacy laws.

The District should inform members of the school community, including school staff, students, and families, about federal and state law concerning transgender and gender nonconforming youth along with implications for school procedures and practice.

School administrators should review existing Board policies, District administrative procedures and guidelines, *The Pilot: Student & Family Handbook*, and other written materials to ensure that they reflect the inclusion of gender identity/expression in the anti-discrimination statements, as appropriate. Staff should use gender-neutral pronouns in all new publications and communication, and should work to revise all existing publications and communication to eliminate gender-specific language.

STAFF

Employees who transition on the job can expect the support of management and human resources staff. HR will work with each transitioning employee individually to help ensure the employee's career, social, and emotional success.

Discrimination and harassment of employees on the basis of sex, sexual orientation, or gender identity or expression is prohibited within Evanston Township High School District 202.

Relevant Board Policies for Accommodations, Supports, and Inclusion of Transgender or Gender Expansive Students

2:260, *Uniform Complaint Procedure*, contains the process for an individual to seek resolution of a complaint. A student may use this policy to make a complaint. The District Complaint Manager shall address the complaint promptly and equitably.

6:65, *Student Social and Emotional Development*, requires that social and emotional learning be incorporated into the District's curriculum and other educational programs.

7:10, *Equal Educational Opportunities*, requires that equal educational and extracurricular opportunities be available to all students without regard to, among other protected statuses, sex, sexual orientation, and gender identity. Requires that students shall be treated and supported in a manner consistent with their gender identity, including, but not be limited to, students having access to gendered facilities, including restrooms and locker rooms that correspond to their gender identity.

7:20, *Harassment of Students Prohibited*, prohibits any person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy including, among other protected statuses, sex, sexual orientation, and gender identity.

7:130, *Student Rights and Responsibilities*, recognizes that all students are entitled to rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.

7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the comprehensive structure for the District's bullying prevention program.

7:250, *Student Support Services*, directs the Superintendent to develop protocols for responding to students' social, emotional, or mental health problems that impact learning.

7:340, *Student Records*, contains the comprehensive structure for managing school student records, keeping them confidential, and providing access as allowed or required.

Resources

Select Federal Resources on Transgender Students
(as provided by the [U.S. Department of Education](#))

U.S. Department of Education

Office for Civil Rights and U.S. Department of Justice's Civil Rights Division, Dear Colleague Letter: Transgender Students (May 13, 2016),
www.ed.gov/ocr/letters/colleague-201605-title-ix-transgender.pdf

Office for Civil Rights, Resources for Transgender and Gender-Nonconforming Students,
www.ed.gov/ocr/lgbt.html

Office for Civil Rights, Publications on Title IX,
www.ed.gov/about/offices/list/ocr/publications.html#TitleIX

Office for Civil Rights, How to File a Discrimination Complaint,
www.ed.gov/about/offices/list/ocr/docs/howto.html

National Center on Safe Supportive Learning Environments, safesupportivelearning.ed.gov

U.S. Department of Health and Human Services

Administration for Children and Families, Resources for Serving Lesbian, Gay, Bisexual and Transgender Youth,

<http://ncfy.acf.hhs.gov/features/servinglesbian-gay-bisexual-transgender-and-questioning-youth-openarms/resources-serving>

Centers for Disease Control and Prevention, LGBT Youth Resources,

www.cdc.gov/lgbthealth/youth-resources.htm

Homelessness Resource Center, Homeless Populations: LGBTQI2-S Youth,

<http://homeless.samhsa.gov/Channel/LGBTQ-153.aspx>

Stopbullying.gov, Bullying and LGBT Youth, <http://www.stopbullying.gov/atrisk/groups/lgbt>

U.S. Department of Housing and Urban Development

Community-Wide Prevention of LGBTQ Youth Homelessness (June 2015),

<https://www.hudexchange.info/resources/documents/LGBTQ-YouthHomelessness-Prevention-Initiative-Overview.pdf>

U.S. Department of Labor o Office of Job Corps, Directive: Job Corps Program Instruction Notice

No. 14-31 (May 1, 2015), [https://supportservices.jobcorps.gov/Program Instruction](https://supportservices.jobcorps.gov/Program%20Instruction%20Notices/pi_14_31.pdf)

[Notices/pi_14_31.pdf](https://supportservices.jobcorps.gov/Program%20Instruction%20Notices/pi_14_31.pdf)

Additional Resources

GLAAD Glossary of Terms: Transgender <http://www.glaad.org/reference/transgender>

“Understanding Gender” Gender Spectrum

<https://www.genderspectrum.org/quick-links/understanding-gender/>

Model Language, Commentary, Resources: GLSEN

https://www.glsen.org/sites/default/files/GLSEN%20Trans%20Model%20Policy%202016_0.pdf

“Model Transgender Employment Policy Negotiating for Inclusive Workplaces,” Transgender Law Center

<http://transgenderlawcenter.org/wp-content/uploads/2013/12/model-workplace-employment-policy-Updated.pdf>